

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION


VINCE DICHIARA,	}	
	}	
Plaintiff,	}	
	}	
v.	}	CIVIL ACTION NO.
	}	05-AR-1584-S
	}	
WACHOVIA BANK, N.A.,	}	
	}	
Defendant.	}	

ORDER

In accordance with the accompanying memorandum opinion, the court finds that it lacks subject-matter jurisdiction and that the above-entitled case was improvidently removed by defendant, Wachovia Bank, N.A. Therefore, the motion of plaintiff, Vince DiChiara, to remand is GRANTED pursuant to 28 U.S.C. § 1447(c), and the case is REMANDED to the Circuit Court of Jefferson County, Alabama. **The Clerk is DIRECTED to effectuate this order.**

Costs are taxed against the removing defendant.

DONE this 12th day of September, 2005.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE